

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
v.) CASE NO. 2:05cr204-C
)
BILLY R. MERCER, JR.)

MOTION TO ENTER PRELIMINARY ORDER OF FORFEITURE

The United States of America (United States), by its undersigned counsel, requests this Honorable Court to enter the attached Preliminary Order of Forfeiture.

After being found guilty at trial, defendant Billy R. Mercer, Jr. agreed to forfeiture of the firearm (Davis Industries, .380 caliber pistol, bearing serial number AP 392840). Notice that the United States sought forfeiture of this firearm was contained in the indictment in this case.

The United States further requests this Honorable Court to make entry of said Order part of its oral pronouncement of sentence and record entry of forfeiture on the applicable judgment forms.

Respectfully submitted this 22nd day of February, 2006.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/ John T. Harmon

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CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2006, I electronically filed the foregoing Motion to Preliminary Order of Forfeiture with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Terry F. Moorer**, **Jeffery C. Duffey** and **Benjamin Schoettker**.

/s/John T. Harmon
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